

copending U.S. Application No. 10/563,291. This rejection is respectfully traversed for the following reasons.

As per MPEP 804, an obviousness double patenting rejection is analogous to the nonobviousness requirement of 35 U.S.C. 103, and any rejection should make clear:

- A. The differences between the inventions defined by the conflicting claims; and
- B. The reasons why a person of ordinary skill in the art would conclude that the invention defined in the claims at issue would have been an obvious variation of the invention defined in a claim in the related application.

In this case, the inventions, defined in the claims of the two applications, are substantially different. In particular, the invention defined in the claims of the present application is directed to a pipe separator having a pipe bend and a drainage pipe for draining separated water from the separator. In contrast, claims 14-29 of U.S. Application '291 are directed to a pipe separator having an electrostatic coalescer and does not require several features of the present claims.

Further, the rejection does not identify the differences between the claims in the two applications, nor explain why one of ordinary skill in the art would conclude that the claims in the present invention are simply obvious variations of the invention defined by claims 14-29 of application '291. The differences between the claims in the respective application will be discussed below.

Claim 10 of the present application is directed to a fluid separator and requires:

- (1) a pipe separator for separating the oil and the water, the pipe separator having an inlet and an outlet;
- (2) a first transport pipe connected to the inlet of the pipe separator;

(3) a pipe bend, connected to the outlet of the pipe separator, for forming a downstream fluid seal in relation to the pipe separator and maintaining a fluid level in the pipe separator, wherein the pipe separator and the pipe bend are arranged to permit the pipe separator and the pipe bend to be pigged;

(4) a drainage pipe for draining the separated water from the separator; and

(5) a second transport pipe, connected to a downstream end of the pipe bend, for transporting the separated oil.

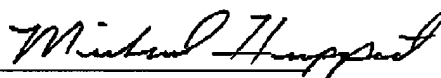
The claims in application '291 require an electrostatic coalescer including an upper electrode and a lower electrode in a wall of a tubular separator body. However, the claims in application '291 do not include a pipe bend, connected to the outlet of the pipe separator, for forming a downstream fluid seal in relation to the pipe separator and maintaining a fluid level in the pipe separator, a drainage pipe for draining the separated water from the separator; and a second transport pipe, connected to a downstream end of the pipe bend, for transporting the separated oil. Thus, the claims in the respective applications define different inventions that cannot be considered obvious variations.

In view of the above, the Examiner is requested to withdraw the obviousness double patenting rejection, and pass this case to issue. In the event that the Examiner decides to maintain the rejection, then the Examiner is requested to identify the features in claims 14-29 of application '219 that correspond to the limitations recited in the claims of the present application.

In the event that the Examiner has any comments or suggestions of a nature necessary to place this case in condition for allowance, then the Examiner is requested to contact Applicant's undersigned attorney by telephone to promptly resolve any remaining matters.

Respectfully submitted,

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